

JUDGE KATHLEEN CARDONE
FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

JUN 9 2021
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY  DEPUTY CLERK

UNITED STATES OF AMERICA,

Plaintiff,

v.

JASMIN GUERRA

Defendants.

§ CRIMINAL NO. EP-21-CR-

§ **SEALED**
§ **INDICTMENT**

§ CT 1: 21:846 & 841(a)(1)-Conspiracy to
§ Possess a Controlled Substance with Intent
§ to Distribute;

§ CT 2: 21:841(a)(1)-Possession with Intent
§ to Distribute a Controlled Substance;

§ CT 3: 31 U.S.C. § 5332(a)(1) and (b) -
§ Bulk Cash Smuggling;

§ CT 4: 31 U.S.C. § 5332(a)(1) and (b) -
§ Bulk Cash Smuggling.

§ *Notice of Government's Demand for*
§ *Forfeiture*

EP21 CR0987

THE GRAND JURY CHARGES:

COUNT ONE
(21 U.S.C. §§ 846 & 841(a)(1))

That on or about January 1, 2018, to June 1, 2020, in the Western District of Texas,

Defendants,

JASMIN GUERRA

knowingly, intentionally, and unlawfully conspired, combined, confederated, and agreed together, and with each other, and with others to the Grand Jury unknown, to commit offenses against the United States, in violation of Title 21, United States Code, Section 846, that is to say, they conspired to possess a controlled substance, which offense involved cocaine, a Schedule II Controlled Substance, with intent to distribute same, contrary to Title 21, United States Code, Sections 841(a)(1) in the quantities set forth below:

QUANTITY OF CONTROLLED SUBSTANCE INVOLVED IN THE CONSPIRACY

The quantity of cocaine involved in the conspiracy and attributable to each Defendant as a result of each Defendant's own conduct and as a result of the conduct of other conspirators reasonably foreseeable to each Defendant is as follows:

DEFENDANT	QUANTITY	STATUTE
JASMIN GUERRA	5 kilograms or more of a mixture or substance containing a detectable amount of cocaine	841(b)(1)(A)(ii)

All in violation of Title 21, United States Code, Section 846.

COUNT TWO

(21 U.S.C. §§ 841(a)(1) & 841(b)(1)(A)(ii))

That on or about April 7, 2020, in the Western District of Texas, Defendant,

knowingly and intentionally possessed with intent to distribute a controlled substance, which offense involved 5 kilograms or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections

841(a)(1) and 841(b)(1)(A)(ii).

COUNT THREE

(31 U.S.C. § 5332(a)(1) and (b) - Bulk Cash Smuggling)

On or about May 23, 2019, in the Western District of Texas and elsewhere, Defendant,

with the intent to evade filing a report as prescribed by the Secretary of Treasury, as required by Title 31, United States Code, Section 5316, did knowingly conceal more than \$10,000 in currency or other monetary instruments on his person and in a conveyance, and did transport and attempt to transport such currency or monetary instruments from a place inside the United States to a place outside the United States, in violation of Title 31, United States Code, Section 5332.

COUNT FOUR

(31 U.S.C. § 5332(a)(1) and (b) - Bulk Cash Smuggling)

On or about August 23, 2019, in the Western District of Texas and elsewhere, Defendant,

with the intent to evade filing a report as prescribed by the Secretary of Treasury, as required by Title 31, United States Code, Section 5316, did knowingly conceal more than \$10,000 in currency or other monetary instruments on his person and in a conveyance, and did transport and attempt to transport such currency or monetary instruments from a place inside the United States to a place outside the United States, in violation of Title 31, United States Code, Section 5332.

NOTICE OF GOVERNMENT'S DEMAND FOR FORFEITURE

[See Fed. R. Crim. P. 32.2]

I.

Drug Violation and Forfeiture Statutes

[Title 21 U.S.C. §§ 846, 841(a)(1) and 841(b)(1)(A)(ii), subject to forfeiture pursuant to Title 21 U.S.C. §§ 853(a)(1) and (2)]

As a result of the foregoing criminal violations set forth in Counts One and Two the United States gives notice to Defendants **JASMIN GUERRA**

of its intent to seek
the forfeiture of the property described below upon conviction pursuant to Fed R. Crim. P. 32.2
and Title 21 U.S.C. §§ 853(a)(1) and (2), which state:

Title 21 U.S.C. § 853. Criminal Forfeitures

(a) Property subject to criminal forfeiture

* * *

- (1) any property constituting, or derived from, any proceeds the person obtained, directly or indirectly, as the result of such violation;
- (2) any of the person's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation.

II.

Bulk Cash Smuggling Violation and Forfeiture Statutes

**[Title 31 U.S.C. §§ 5332(a)(1) and (b) subject to
forfeiture pursuant to Title 31 U.S.C. § 5332(b)(2)]**

As a result of the foregoing criminal violations set forth in Counts Three and Four, the United
States gives notice to the Defendant of its intent to seek the
forfeiture of the properties described below upon conviction pursuant to Fed. R. Crim. P. 32.2 and
Title 31 U.S.C. § 5332(b)(2), which states:

Title 31 U.S.C. § 5332. Bulk Cash Smuggling into or out of the United States

* * *

(b) Penalty.—

* * *

(2) Forfeiture.— In addition, the court, in imposing sentence under paragraph (1), shall order that the defendant forfeit to the United States, any property, real or personal, involved in the offense, and any property traceable to such property.

This Notice of Demand for Forfeiture includes but is not limited to the properties described below
in Paragraphs III and IV.

III.
Properties

\$28,900.00, more or less, in United States currency, seized from

2007 Jeep Wrangler bearing VIN# 1J4GA39197L190067, seized from

2012 Ford F-150 bearing VIN# 1FTFW1ET3CKE34276, seized from

2019 Chevrolet Camaro bearing VIN# 1G1FB1RSK0106260, seized from

2017 Honda Accord bearing VIN# 1HGCR2F33HA303099, seized from

2019 Chevrolet Tahoe, VIN# 1GNSKBKC8KR399820, seized from

2012 Freightliner Cascadia, VIN# 1FUJGLDR5CSBF3466, seized from

Real Property and appurtenances located at 11381 Crater Lake Avenue, El Paso, Texas 79936, with all improvements and attachments thereon, titled to and more fully described as follows:

Lot 13, Block 498, of VISTA DEL SOL UNIT ONE HUNDRED EIGHT, an Addition to the City of El Paso, El Paso County, Texas, according to the Plat thereof recorded in Volume 62, Page 35, Real Property Records, El Paso County, Texas, Also known as 11381 Crater Lake Ave., El Paso, Texas 79936.

IV.
Money Judgment

A sum of money that represents the amount of proceeds obtained, directly or indirectly, property involved in such offense, or traceable to such property as a result of the violations set forth in Counts One and Two for which Defendants JASMIN GUERRA

are liable.

Substitute Assets

If any of the above described forfeitable property, as a result of any act or omission of the Defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States to seek forfeiture, pursuant to Title 21 U.S.C. § 853(p), as incorporated by Title 28 U.S.C. § 2461(c), of any other property of said Defendants up to the value of the forfeitable property.

ORIGINAL SIGNATURE
A TRUE BILL REDACTED PURSUANT TO
E-GOVERNMENT ACT OF 2002

FOREPERSON OF THE GRAND JURY

ASHLEY C. HOFF
UNITED STATES ATTORNEY

BY: _____
Assistant U.S. Attorney